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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
BENJAMIN GARRISON CLAYTON,)
)
Defendant.)

No. **4-07-70462 WDB**
EP 07 2661 MC (W.D. Texas)

GOVERNMENT'S MOTION TO
RELEASE DEFENDANT FROM U.S.
MARSHAL'S CUSTODY AND
~~PROPOSED~~ ORDER

Based on the fact that the outstanding complaint against the defendant BENJAMIN
GARRISON CLAYTON has been dismissed by the United States District Court, Western
District of Texas, in case number EP 07 2661 MC, the United States hereby moves for an order
from this Court ordering that the United States Marshal release the defendant from custody at the

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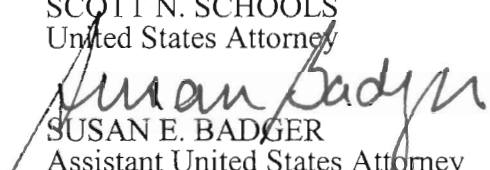
GOVT'S MOT. TO RELEASE DEF.
& [PROP.] ORDER
[(N.D. Cal.); EP 07 2661 MC (W.D. Texas)]

earliest possible date and time. A copy of the dismissal order from the Western District of Texas is attached.

DATE: August 15, 2007

Respectfully submitted,

SCOTT N. SCHOOLS
United States Attorney


SUSAN E. BADGER
Assistant United States Attorney

Upon the motion of the United States and good cause appearing, IT IS HEREBY ORDERED THAT the United States Marshal release defendant BENJAMIN GARRISON CLAYTON, currently being held in pre-trial custody in the above-captioned cases, from custody at the earliest possible date and time.

IT IS SO ORDERED.

Dated: 8/15/07



JOSEPH C. SPERO
United States Magistrate Judge

GOVT'S MOT. TO RELEASE DEF.
& ~~PROP.~~ ORDER
[(N.D. Cal.); EP 07 2661 MC (W.D. Texas)]

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

AUG 15 2007

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY DEPUTY CLERK

UNITED STATES OF AMERICA)

v.)

BENJAMIN GARRISON CLAYTON)

NO. EP-07-2661-MC

ORDER OF DISMISSAL

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, and by leave of Court endorsed hereon, the United States Attorney for the Western District of Texas hereby dismisses the Complaint against Defendant **BENJAMIN GARRISON CLAYTON**. The Government does not wish to prosecute at this time.

Respectfully submitted,

JOHNNY SUTTON
UNITED STATES ATTORNEY

BY:

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DEBRA KANOF
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Leave of Court is granted for the filing of the foregoing dismissal.

W. R. [Signature]
UNITED STATES MAGISTRATE JUDGE

DATE: August 15, 2007